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7 Attorney for Terry Luna

8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 TERRY LUNA,

15 Defendant.

Case No. 2:19-cr-045-RFB-NJK

STIPULATION TO CONTINUE
SENTENCING HEARING
(Second Request)

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17 IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A.
18 Trutanich, United States Attorney, and Daniel Evan Clarkson, Assistant United States Attorney,
19 counsel for the United States of America, and Rene L. Valladares, Federal Public Defender,
20 and Raquel Lazo, Assistant Federal Public Defender, counsel for Terry Luna, that the
21 Sentencing Hearing currently scheduled on October 3, 2019 at 2:00 p.m., be vacated and
22 scheduled no earlier than December 2, 2019.

23 This Stipulation is entered into for the following reasons:

24 1. Mr. Luna has a pending related state case (arising from the same stop which lead
25 to the instant case) that is currently scheduled for a status check on the filing of a complaint on
26 November 25, 2019. He wishes to await the outcome of that hearing in hopes of avoiding any

1 detainers which may negatively impact any custodial sentence he ends up serving at the Bureau
2 of Prisons.

3 2. Additionally, defense counsel requires time to file a response to the
4 Government's Sentencing Memorandum (ECF No. 31).

5 3. Government and defense counsel will both be out of the jurisdiction the week of
6 November 25-29th.

7 4. The defendant is in custody and does not oppose a continuance.

8 5. The parties agree to the continuance.

9 This is the second request for a continuance of the sentencing hearing.

10 DATED this 1st day of October, 2019.

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12 RENE L. VALLADARES
13 Federal Public Defender

12 NICHOLAS A. TRUTANICH
13 United States Attorney

14 /s/ Raquel Lazo
15 By _____

16 RAQUEL LAZO
17 Assistant Federal Public Defender

14 /s/ Daniel Evan Clarkson
15 By _____

16 DANIEL EVAN CLARKSON
17 Assistant United States Attorney

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

Case No. 2:19-cr-045-RFB-NJK

4 Plaintiff,

ORDER

5 v.

6 TERRY LUNA,

7 Defendant.

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10 IT IS THEREFORE ORDERED that the sentencing hearing currently scheduled for
11 Thursday, October 3, 2019 at 2:00 p.m., be vacated and continued to December 3, 2019 at the
12 hour of 2:30 p.m.; or to a time and date convenient to the court.

13 DATED this 1st day of October, 2019.

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16 RICHARD F. BOULWARE, II
17 UNITED STATES DISTRICT JUDGE
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